

RESPONSE UNDER 37 C.F.R. § 1.111
U.S. Appln. No. 09/667,630

Cardillo was issued on August 10, 1999, earlier than the priority date of the present application. Thus, if Cardillo is a reference of the present application, it should be a 102(a) reference.

Claim 1 of the present application recites a telephone installation including an analogue telephone, an Internet connection terminal adapted to be connected to the Internet via a telephone network, and connecting means for connecting the telephone to the Internet connection terminal, wherein the connecting means include switching circuits for connecting the telephone to the Internet connection terminal in accordance with switching instructions from an Internet server to enable the telephone to send and receive analogue format voice signals respectively to and from the telephone network. However, Cardillo is about a system for retrieving internet data files using a screen-display telephone terminal. Cardillo fails to teach or suggest the Internet connection terminal, the connecting means, and the switching circuits.

The present application provides a system for sending and receiving analogue format voice signals via an Internet connection terminal and the Internet. As shown in the single figure of the present application, a telephone installation 1 includes a telephone 2 and an Internet connection terminal 3. Circuits 17 are shown as a switch for connecting an output port of a modem 10 and/or the telephone 2 to a link 11. Upon a user's request for connection from the modem 10 on the line 11, a specific site 25 sends a message indicating that the user is connected to the Internet, and an instruction to switch the circuits 17 from the modem 10 to the telephone 2, thus connecting the telephone 2 to the line 11. In short, circuits 17 are first connected to the

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modem 10 for setting up a call, and then switched to the telephone 2, in accordance with switching instructions from an Internet server, for transmitting voice signals over the Internet. The ultimate purpose of the claimed telephone installation is to transmit voice signals over the Internet.

However, Cardillo provides a system for retrieving internet data files using a screen-display telephone terminal. Specifically, as shown in Fig. 1 of Cardillo, an ADSI-based Internet access system 100 includes an ADSI screen-display telephone terminal 110 connected to the public switched telephone network (PSTN) 120. The PSTN 120 routes calls and data transfers from the terminal 110 to a Network Application Vehicle (NAV) 130, which is a telephony platform server for controlling call and data flow between the terminal 110 and a Web 140. As shown in Fig. 4 of Cardillo, upon a request from a user to access an ADSI-based Internet access system 100, the NAV 130 transmits a “WELCOME” message to the terminal 110 for display on a screen-display 111, so that the user can begin his/her Internet access, selecting Web sites and retrieving data files (Cardillo, col. 7, line 50 to col. 8, line 15). Thus, completely different from that of the present application, the ultimate purpose of the Cardillo system is to retrieve internet data files using a telephone terminal.

Cardillo fails to teach or suggest the Internet connection terminal adapted to be connected to the Internet via a telephone network. As shown in Fig. 1 of Cardillo, the telephone terminal 110 is connected to the PSTN 120, a telephone network. The PSTN 120 is connected to the NAV 130, which is connected to the Internet 140. The only part that is connected to the Internet

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via a telephone network is the telephone terminal. However, it is improper for the Examiner to read both the recited analogue telephone and the recited Internet connection terminal on the telephone terminal 110.

Because Cardillo fails to teach the Internet connection terminal, it fails to teach or suggest the connecting means, including the switching circuits, which connect the telephone to the Internet connection terminal.

The Examiner has asserted that the “switching instruction” in claim 1 is equivalent to an acknowledgement signal sent from a server indicating that the request designating a specific site has been received and understood. The Examiner then interprets the claimed “switching instruction” as the “acknowledgement signal sent from the server”. Applicant respectfully disagrees.

The Examiner is correct that the switching instruction in claim 1 could be an acknowledgement signal. However, as described in the sentence in the specification immediately following the sentence cited by the Examiner, the acknowledgement is equivalent to a triggering instruction. In addition, the instructions switch the circuits 17 to connect the telephone 2 to the line 11, so that voice signals can be transmitted over the Internet (Specification, the last paragraph). Claim 1 also recites the functions of the switching instructions: causing the telephone to be connected to the Internet connection terminal to enable the telephone to send and receive analogue format voice signals. However, in Cardillo, the acknowledge from the Internet is to enable Internet data file retrieving. To assert that the

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“acknowledgement signal sent from the server” in Cardillo teaches the recited “switching instructions”, the Examiner has interpreted “switching instructions” so broad that their recited functions and effects on the telephone installation are ignored, which is improper.

The Examiner has asserted that Cardillo teaches the invention of claim 1. However, the Examiner has failed to pointed out which part, if any, in the Cardillo system corresponds to the recited switching circuit, which connects the telephone to the Internet connection terminal in accordance with switching instructions from an Internet server. The terminal 110 in Cardillo could be used for a phone call, or could be used for retrieving Internet data files. However, a skilled artisan would appreciate that it is the user that determines to use the Cardillo telephone terminal for phone call, or for Internet data file retrieving, via different inputs to the telephone terminal. The acknowledgement in Cardillo cited by the Examiner is used to enable Internet data retrieving, instead of switching switch circuits for sending and receiving analog voice signals. In Cardillo, there is nothing about switching circuits for connecting a telephone to the Internet connection terminal in accordance with switching instructions from an Internet server.

Therefore, Applicant respectfully submits that claims 1 and 2 are patentable.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

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Respectfully submitted,



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